

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

October 25, 2006

DIVISION ONE

Court convened at 9:00 a.m.

Present: Mallano, Acting P.J., Vogel (Miriam A.), J., Rothschild, J., Jackson, J.
(Assigned) and P. Gonzalez, Deputy Clerk.

B186377 Gomez v. Carillo

Argument waived, cause submitted.

B181875 Apex Therapeutic Care, Inc. v. Factor Health Management

Continued to November 2006.

B184498 Everest Investors 8 v. McNeil Partners

Matter ordered off calendar.

Rothschild, J., leaves the bench.

B180456 William Fred Williams
 v.
 Sandra Elizabeth Williams

Merits:

Argued by Thomas P. Dovidio for appellant, and no appearance for
respondent. Cause submitted.

DIVISION ONE (Continued)

B186273 People
 v.
 Alejandro Frias

Merits:

Argued by Leon B. Hazany for appellant and by Viet H. Nguyen for respondent. Cause submitted.

B188844 County of Los Angeles
 v.
 Ranger Insurance Company

Merits:

Argued by Benjamin Wasserman for appellant and by Syna N. Davis, Deputy County Counsel for respondent. Cause submitted.

B183591 City of West Covina
 v.
 Valencia Heights Water Co.

Merits:

Argued by Matthew M. Gorman for appellant and by Jennifer C. Lyons for respondent. Cause submitted.

Rothschild, J., returns to the bench.

B183511 Dorene Lines-Walderp
 v.
 Los Angeles Unified School District

Merits:

Argued by John P. DeGomez for appellant and by Melanie Poturica for respondent. Cause submitted.

DIVISION ONE (Continued)

Rothschild, J., leaves the bench.

B186206 Joseph Paleski
 v.
 State Department of Health Services et al.

Merits:

Argued by Brian K. Condon for appellant and by Julie Weng-Gutierrez for respondents. Cause submitted.

B186376 Sherra Lynne Ewing
 v.
 Gary B. Gelfand et al.

Merits:

Argued by Martin E. Dack for appellant and by Robert C. Reback for respondents. Cause submitted.

B187642 American Home of Sciences, Inc.
 v.
 California School of Medical Sciences, Inc.
 California School of Modern Sciences, Inc.
 Toros Yerosian

Merits:

Argued by Vip Bhola for respondent and by Melissa M. Harnett for appellant. Cause submitted.

Court recesses at 10:44 a.m.

Court reconvenes at 10:46 a.m.

Present: Mallano, Acting P.J., Vogel (Miriam A.), J., Rothschild, J., Jackson, J. (Assigned) and P. Gonzalez, Deputy Clerk.

DIVISION ONE (Continued)

B182226 Rochelle Tesoriero
B187858 v.
Leone John Tesoriero

Merits:

Argued by Gail S. Gilfillan for appellant and by Joel P. Schiff for respondent. Cause argued and submitted.

Vogel, J., leaves the bench.

B185274 Larry Romano
v.
Glieberman, Weise & Associates

Merits:

Argued by Mark E. Di Maria for appellant and by Micah R. Jacobs for respondent. Cause submitted.

Court adjourned.

DIVISION TWO

B185047 People (Not for Publication)
v.
Hawk

The judgment is affirmed.

Boren, P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

DIVISION TWO (Continued)

B190060 Sababin et al. (Not for Publication)

v.

Superior Court, Los Angeles County
(Covina Rehabilitation Center, r.p.i.)

This is a proper case for issuance of a peremptory writ in the first instance.
(Code Civ. Proc., § 1088; Palma v. U.S. Industrial Fasteners, Inc. (1984) 36
Cal.3d 171, 177–180.)

Let a writ of mandate issue, directing the respondent court to vacate its
order of February 17, 2006, granting Covina's motion for summary
adjudication of Renteria's successors' fourth cause of action for dependent
adult abuse, and to issue a new order setting a hearing to determine whether
Covina's motion for summary adjudication eliminates a triable issue as to
employer liability. Renteria's successors are to receive their costs on
appeal. The stay heretofore issued is vacated.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Chavez, J.

B189705 Los Angeles County, D.C.S. (Not for Publication)

v.

Elissa P.

The orders are affirmed.

Ashmann-Gerst, J.

We concur: Doi Todd, Acting P.J.
 Chavez, J.

DIVISION THREE

B189808 Los Angeles County, D.C.S. (Not for Publication)
v.
Bonifacio A.

The order is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

B186939 Pryde (Not for Publication)
v.
Cronan

The judgment is affirmed. Richard to bear costs on appeal.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

B186366 Jagessar (Not for Publication)
v.
Brown

The order is reversed. Each party shall bear its respective costs on appeal.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

DIVISION THREE (Continued)

B187545 People (Not for Publication)

V.

Anthony Johnson

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.

Aldrich, J.

B184692 People (Not for Publication)

V.

Terrence Antonio Dunson

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.

Aldrich, J.

B185630 People (Not for Publication)

V.

Arturo Villegas

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.

Aldrich, J.

DIVISION FOUR

B181774 3570 East Foothill Blvd., Inc., et al. (Not for Publication)
v.
City of Pasadena et al.

The judgment is affirmed. Respondents shall have their costs on appeal.

Manella, J.

We concur: Epstein, P.J.
Suzukawa, J.

B182912 Wayne (Not for Publication)
v.
Solton

The order is affirmed. Mother is to have her costs on appeal.

Epstein, P.J.

We concur: Willhite, J.
Manella, J.

B185147 People (Not for Publication)
v.
Preciado

The judgment is affirmed.

Suzukawa, J.

We concur: Epstein, P.J.
Manella, J.

DIVISION FOUR (Continued)

B190091 Los Angeles County, D.C.S. (Not for Publication)
 v.
 M. H.

The orders terminating parental rights and denying the section 388 petition for modification are affirmed.

Epstein, P.J.

We concur: Manella, J.
 Suzukawa, J.

B183773 People (Not for Publication)
 v.
 Perdomo

The judgment of conviction is affirmed.

Epstein, P.J.

We concur: Willhite, J.
 Manella, J.

DIVISION FIVE

B185518 People (Not for Publication)
 v.
 Eduardo Rivera

The judgment is affirmed.

Kriegler, J.

We concur: Armstrong, Acting P.J.
 Mosk, J.

DIVISION FIVE (Continued)

B183186 Paul Ottosi
v.
Robert Berry et al

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION SIX

Court convened at 1:30 p.m. in the Santa Barbara Co. Board of Supervisors Hearing Room. Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

B187870 Marriage of Watkins

Argument waived, cause submitted.

B185339 Van Slyke
v.
Gibson

Merits:

Argued by Alan W. Courtney for appellant and by John Gregory Derrick for respondents. Cause submitted.

B188216 Berti
v.
Santa Barbara Beach Properties

Merits:

Argued by Tim Trager for appellants and by Christoph T. Nettesheim for respondents. Cause submitted.

DIVISION SIX (Continued)

B188389 Brand
 v.
 Happe

Merits:

Argued by Wendy C. Lascher for appellant and by Vanessa Kirker for respondent. Cause submitted.

Gilbert, P.J. left the bench.

B185392 Righetti
 v.
 Righetti

Merits:

Argued by John Gregory Derrick for appellants, by James C. Buttery for respondent Earnest E. Righetti, by Herb Fox for respondents Rubalcava et al., and by Suzanne K. Biely for respondents E. Michael Righetti et al.. Cause submitted.

B187885 Hicks
 v.
 George Valverde, Director, and Dept. of Motor Vehicles

Merits:

Argued by Lee A. McCoy for appellant and by Celine M. Cooper, Deputy Attorney General, for respondents. Cause submitted.

Court adjourned.

DIVISION SIX (Continued)

B186979 People (Not for Publication)
v.
Gonzalez

The judgment is affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.

DIVISION EIGHT

[illegible]

The judgment is affirmed.

Rubin, J.

We concur: Cooper, P.J.
Flier, J.

[illegible]

The judgment is affirmed.

Boland, J.

We concur: Rubin, Acting P.J.
Flier, J.

DIVISION EIGHT (Continued)

B184626 Austin Butler, a minor, etc., (Not for Publication)
v.
Palmdale School District,

The judgment is reversed. Appellant is to recover his costs on appeal.

Rubin, J.

I concur: Cooper, P.J.
I dissent: Flier, J. (Opinion)

B183900 Lucente Spa
v.
Apik Jewelry et al.,

Filed order denying petition for rehearing.

B185398 Collins et al.,
v.
Hertz Corporation et al.,

Filed order certifying opinion for publication.

B183820 Kirby
v.
Sega Of America, Inc., et al.,

Filed order certifying opinion for publication.